

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 4350 of 2006()

CRA.658/2003 of IV ADDL.SESIONS COURT, ERNAKULAM
CC.1292/1999 of JUDL.MAGISTRATE OF FIRST CLASS-I, ALUVA
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REVN. PETITIONER:

P.A.ABDUL KHADER, S/O ABDUL REHMAN,
POOVETHINGAL HOUSE, MARAMBILLY P.O.,
ALUVA, ERNAKULAM.

BY ADV. SRI.C.R.VINOD KUMAR

RESPONDENTS:

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1. ALI RAJU, MANAKKAPARAMBIL HOUSE,
THALIKKATTUKARA,
ALUVA, ERNAKULAM
 2. STATE OF KERALA REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY ADV. SRI.C.S.VINODKUMAR
PUBLIC PROSECUTOR SRI. KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 06/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.T.SANKARAN, J

Crl. R.P. No. 4350 of 2006

Dated this the 6th day of December, 2006

ORDER

The petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and he was sentenced to undergo simple imprisonment for a period of one month and was directed to pay a sum of Rs.10,000/- to the complainant under Section 357(3) of the Code of Criminal Procedure. The appellate court confirmed the conviction and sentence.

2. An application, Crl.M.A.12595/2006 has been filed under Section 147 of the Negotiable Instruments Act, signed by the complainant as well as the accused, stating the matter is settled between the parties. That application was allowed.

In the result, this Crl.R.P. is allowed. The conviction and sentence on the petitioner are set aside and the petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

**K.T.SANKARAN,
JUDGE**

csl

